



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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September 04, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

43 September 4, 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**LOS ANGELES RIVER HEADWATERS PROJECT
CANOGA PARK AREA OF THE CITY OF LOS ANGELES
APPROVE REVISED TOTAL PROJECT BUDGET
ADOPT, ADVERTISE, AND AWARD
SPECS. 7204
(SUPERVISORIAL DISTRICT 3)
(3 VOTES)**

SUBJECT

The recommended actions will approve the revised total project budget, adopt plans and specifications, allow advertising for construction bids, and award a construction contract for the Los Angeles River Headwaters project located in the vicinity of Canoga Park in the City of Los Angeles.

IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

1. Acting as a responsible agency for the proposed Los Angeles River Headwaters project, consider the Final Programmatic Environmental Impact Report/Programmatic Environmental Impact Statement for the Los Angeles River Revitalization Master Plan prepared and certified by the City of Los Angeles as lead agency for the project, certify that your Board has independently considered and reached its own conclusions regarding the environmental effects of the project as shown in the Final Environmental Impact Report; adopt the Mitigation Monitoring Program; finding that the Mitigation Monitoring Program applicable to the Los Angeles Rivers Headwaters project is adequately designed to ensure compliance with the mitigation measures during project implementation, find that there are no further feasible alternatives or feasible mitigation measures within your Board's power that would substantially lessen or avoid any significant effect the project

would have on the environment; and determine that the significant adverse effects of the project have either been reduced to an acceptable level or are outweighed by the specific consideration of the project as outlined in the Environmental Findings of Fact and Statement of Overriding Considerations, which findings and statement are adopted and incorporated herein by reference.

2. Approve the revised total project budget of \$11,450,000 for the Los Angeles River Headwaters project.
3. Adopt the plans and specifications that are on file in the Architectural Engineering Division of the Department of Public Works as custodian of record for construction of the Los Angeles River Headwaters project between Owensmouth Avenue and Mason Avenue at an estimated construction cost of \$7,273,000.
4. Instruct the Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on October 11, 2012, in accordance with the Instruction Sheet for Publishing Legal Advertisements.
5. Authorize the Director of Public Works, or her designee, to execute a consultant services agreement with the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule and storm water pollution prevention plan for a \$10,000 not-to-exceed cost funded by the existing project funds.
6. Delegate to the Director of Public Works, or her designee, the authority to determine if bids are nonresponsive and to reject bids on such basis, in accordance with the applicable contract and bid documents, and determine whether the apparent Lowest Responsive and Responsible Bidder has timely prepared a satisfactory baseline construction schedule that satisfies all conditions for contract award, including the criteria adopted by your Board for contract award. Upon determination that all such conditions have been satisfied, authorize the Director of Public Works, or her designee, to award and execute a construction contract, in the form previously approved by County Counsel, to the apparent Lowest Responsive and Responsible Bidder so long as the bid amount does not exceed \$2,375,000, and to establish the effective date of the contract upon receipt of acceptable performance and payment bonds and evidence of required contractor insurance.
7. Authorize the Director of Public Works, or her designee, to deliver the landscape improvements portion of the Los Angeles River Headwaters project using a previously Board approved Job Order Contracts.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to adopt the applicable portion of the mitigation monitoring program and the Environmental Findings of Fact and Statement of Overriding Consideration and allow the Department of Public Works (Public Works) to proceed with the project as outlined in the recommendations.

On July 12, 2011, your Board approved a total project cost of \$9,269,000 for the Los Angeles River Headwaters (Headwaters) project estimated for construction costs only. The revised total project cost increased due to additional costs to complete plans and specifications, cost of permits, consultant services, survey, material testing, inspection, contract administration, change order contingency, and other County services.

The Headwaters project is divided into two parts. Part I will be performed using previously Board-approved Job Order Contracts, and includes landscape improvements on both the north and south sides of the Los Angeles River. Part II will be performed through lump-sum, competitive low bid construction contract and includes construction of a pedestrian bridge over Browns Creek Channel (north side) and over Kelvin Channel (south side); and pedestrian under-crossings at the Canoga Avenue bridge (north side) and De Soto Avenue bridge (north side).

The proposed project consists of the construction of an approximately 1.25-mile long river parkway along both the north and south sides of Los Angeles River between Owensmouth Avenue and Mason Avenue in the vicinity of Canoga Park in the City of Los Angeles. Part I of the project includes landscape improvements on both sides of the channel with educational and interpretive signage, rain retention basins, rest area amenities, native and drought-tolerant landscaping, improved fencing, and several public access points that provides for recreational use. Part II includes two pedestrian bridges, two under crossings, and landscape work. The proposed improvements will provide recreational facilities to the residents in the area.

Part I of the project, which includes improvement to the existing landscape comprises of pedestrian path, site structures, signage, removal and replacement of existing landscape with native landscape, irrigation system, and other improvements/repairs, will be funded by the California River Parkways Grant (CRPG) fund and the rest of the project will be completed with the County of Los Angeles Flood Control District (LACFCD) funds.

The recommended actions are necessary to keep this project on an expedited schedule for construction during non storm season for the in channel work, Part II; and to meet CRPG's May 1, 2013, deadline for the landscape improvements, Part I.

The construction of the project will improve existing flood control facilities by providing recreational and educational benefits. The Headwaters project is identified as a recommended improvement in the Los Angeles River Master Plan adopted by your Board in 1996.

In order to expedite construction of the project, it is recommended that your Board authorize the Director of Public Works, or her designee, to award and execute a construction contract for Part II, to the apparent Lowest Responsive and Responsible Bidder (as defined in the Facts and Provisions/Legal Requirements section of this letter).

The proposed agreement with the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule that conforms to the County of Los Angeles' (County) specifications is critical to successfully manage construction activities. The apparent Lowest Responsive and Responsible Bidder must be able to produce the deliverable. Bid specifications provide that if the apparent Lowest Responsive and Responsible Bidder fails to complete acceptable deliverables, the bidder may be found nonresponsive and the County may then award to the next apparent Lowest Responsive and Responsible Bidder, contingent on the bidder completing deliverables that conform to the County's specifications.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1); and Integrated Services Delivery (Goal 3), by maximizing the effectiveness of present structure and opportunities to improve community outcomes and leverage resources through the continuous

integration of health, community, and public safety services.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated total construction cost is \$8,350,000. The total project cost is estimated to be \$11,450,000. In addition to the construction cost, the total project includes the cost of plans, specifications, permits, consultant services, survey, material testing, inspection, contract administration, change order contingency, and other County services. The project is funded by a grant of \$1,966,260 from the CRPG fund (Agreement No. R54109-0) from the California Natural Resources Agency, and the remaining amount of \$9,483,740 will be financed with LACFCD funds.

Sufficient funds to cover LACFCD's share are included in the Fiscal Year 2012-13 Flood Control District Budget. Financing for the future years will be made available in the annual budget process.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contract will contain terms and conditions supporting your Board's ordinances and policies, including, but not limited to: County Code Chapter 2.200, Child Support Compliance Program; County Code Chapter 2.202, Contractor Responsibility and Debarment; County Code Chapter 2.203, Contractor Employee Jury Service Program; County Code Chapter 2.206, Defaulted Property Tax Reduction Program; Board Policy 5.050, County's Greater Avenues for Independence and General Relief Opportunities (GAIN/GROW); Board Policy 5.060, Reporting of Improper Solicitations; Board Policy 5.110, Contract Language to Assist in Placement of Displaced County Workers; and Board Policy 5.135, Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law).

Applicable law, including the State Public Contract Code, requires the County to award a construction contract to the apparent Lowest Responsive and Responsible Bidder, which refers to the firm that: (1) submits the lowest bid price; (2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a "responsible" bidder by exhibiting the quality, fitness, capacity, experience, and trustworthiness to satisfactorily perform the work required under the bid solicitation.

To ensure that the contract is awarded to the apparent Lowest Responsive and Responsible Bidder with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the contractors State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy 5.140, the information reported by the bidder will be considered before contract award.

Per your Board's Civic Art Policy adopted on December 7, 2004, and revised on November 5, 2009, the project is exempt from the Civic Art Fund as it is a flood control facility improvement.

ENVIRONMENTAL DOCUMENTATION

In adopting plans and specifications, advertising for bids, executing the consultant services agreement, and authorizing delivery of the landscape improvements portion of the proposed project using Job Order Contracts, the County is acting as a responsible agency for the proposed Headwaters project. The City of Los Angeles, as lead agency, certified a Final Programmatic Environmental Impact Report (PEIR) for the Los Angeles River Revitalization Master Plan on May 9, 2007. Public Works has determined that the proposed Headwaters project is within the scope of the project analyzed in the PEIR. The recommended actions will not have a significant effect on the environment. Your Board's action will adopt the Mitigation Monitoring Program and apply the applicable mitigation measures included in the Los Angeles River Revitalization Master Plan PEIR pertinent to the County's proposed project, which will ensure that any environmental effect of the project will remain below the level of significance. The composite PEIR, statement of overriding considerations, and notice of determination are located at <http://www.lariverrmp.org/>.

The project is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. Payment of the fee was deferred at the time of filing of the PEIR until evaluation of project specific impacts. Upon your Board's approval of the project, Public Works will file a Notice of Determination in accordance with Section 21152(a) of the California Public Resources Code and pay the required filing and processing fees with the Registrar-Recorder/County Clerk in the amount of \$2,994.

CONTRACTING PROCESS

A standard contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

As required by your Board, language has been incorporated into the project specifications stating that the bidder shall notify its employees, and shall require each subcontractor to notify its employees that they may be eligible for the Federal Earned Income Credit under the Federal income tax law (Federal Income Tax Law, Internal Revenue Service Notice 1015).

Advertising for bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements (Enclosure B).

As requested by your Board on February 3, 1998, this contract opportunity will be listed on the Doing Business with Us website. In addition, prospective bidders will be able to download plans and specifications on Public Works' website, free of charge. Following receipt of bids and award of the consultant services contract, we will award a construction contract in accordance with the authority delegated in this Board letter.

The contract requires the contractor to pay its employees applicable prevailing wages in accordance with the California Labor Code.

A copy of the plans and specifications are on file in the Architectural Engineering Division of Public Works.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will provide enhanced water quality, habitat restoration, and passive recreational opportunities for the residents of the County.

CONCLUSION

Please return one adopted copy of this Board letter to Public Works, Project Management Division II.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The script is cursive and fluid.

GAIL FARBER
Director

GF:JFK
EA:as

Enclosures

c: Executive Office, Board of Supervisors
Auditor Controller
Chief Executive Office
County Counsel
Department of Human Resources
Department of Public Social Services
(GAIN/GROW Program)

September 4, 2012

ENCLOSURE A

**LOS ANGELES RIVER HEADWATERS PROJECT
CANOGA PARK AREA OF THE CITY OF LOS ANGELES
APPROVE REVISED TOTAL PROJECT BUDGET
ADOPT, ADVERTISE, AND AWARD
SPECS. 7204
(SUPERVISORIAL DISTRICT 3)
(3 VOTES)**

I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date
Design	
Construction Documents Completed	06/25/12*
Jurisdictional Approval	07/05/12*
Construction Bid and Award	12/11/12
Construction – JOC	
Start Construction	09/17/12
Substantial Completion	04/14/13
Project Acceptance	04/30/13
Construction – Base Contract	
Start Construction	04/23/13
Substantial Completion	02/05/14
Project Acceptance	06/11/14

* Indicates Completed Activity

II. PROJECT BUDGET SUMMARY

Budget Category	Project Budget	Impact	Revised Project Budget
Land Acquisition		\$ 0	\$ 0
Construction			
Base Construction			
Pedestrian bridges & Under-crossings	\$ 6,741,000	\$ (4,366,000)	\$ 2,375,000
Change Orders	\$ 674,000	\$ (318,000)	\$ 356,000
JOC – Landscape Improvements	\$ 0	\$ 4,815,000	\$ 4,815,000
Change Orders	\$ 0	\$ 721,000	\$ 721,000
Gordian Group	\$ 0	\$ 83,000	\$ 83,000
Subtotal	\$ 7,415,000	\$ 935,000	\$ 8,350,000
Programming/Development	\$ 0	\$ 0	\$ 0
Plans and Specifications	\$ 0	\$ 0	\$ 0
Consultant Services			
Deputy Inspection/Materials Testing		\$ 150,000	\$ 150,000
Geotech/Soils Test		\$ 20,000	\$ 20,000
Cost Estimating		\$ 12,000	\$ 12,000
Constructability Review		\$ 35,000	\$ 35,000
Hydraulic Analysis		\$ 120,000	\$ 120,000
Subtotal	\$ 0	\$ 337,000	\$ 337,000
Miscellaneous Expenditures			
Printing	\$ 0	\$ 10,000	\$ 10,000
Countywide Contract Compliance (CCC)		\$ 15,000	\$ 15,000
Subtotal	\$ 0	\$ 25,000	\$ 25,000
Jurisdictional Review/Plan Check Permit			
Department Water & Power		\$ 200,000	\$ 200,000
Water Board Permit Processing/Fee		\$ 15,000	\$ 15,000
Fish & Game Permit Processing/Fee		\$ 18,000	\$ 18,000
Corp of Engineers		\$ 5,000	\$ 5,000
City of LA – Traffic		\$ 2,000	\$ 2,000
Other – PDD (Processing)		\$ 30,000	\$ 30,000
Subtotal	\$ 0	\$ 270,000	\$ 270,000
County Services			
Design	\$ 593,000	\$ 129,000	\$ 722,000
AED Contract Administration		\$ 45,000	\$ 45,000
Project Management	\$ 148,000	\$ 581,000	\$ 729,000
Flood Maintenance		\$ 2,000	\$ 2,000
Geotech & Materials Engineering		\$ 62,000	\$ 62,000
Traffic & Lighting		\$ 5,000	\$ 5,000
Programs Development		\$ 97,000	\$ 97,000
Construction		\$ 630,000	\$ 630,000
Watershed Management		\$ 156,000	\$ 156,000
Survey/Mapping & Property Mngmnt		\$ 20,000	\$ 20,000
Contract Engineering	\$ 1,113,000	\$ (1,113,000)	\$ 0
Subtotal	\$ 1,854,000	\$ 614,000	\$ 2,468,000
Total	\$ 9,269,000	\$ 2,181,000	\$ 11,450,000

September 4, 2012

ENCLOSURE B

**LOS ANGELES RIVER HEADWATERS PROJECT
CANOGA PARK AREA OF THE CITY OF LOS ANGELES
APPROVE REVISED TOTAL PROJECT BUDGET
ADOPT, ADVERTISE, AND AWARD
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(SUPERVISORIAL DISTRICT 3)
(3 VOTES)**

PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20991, you may publish at least five or more times, prior to the date set for opening bids, in a daily newspaper of general circulation printed and published in the County and designated by the Board, or for at least two consecutive times prior to such date in a weekly newspaper printed and published in the County and designated by the Board. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

**OFFICIAL NOTICE
INVITING BIDS**

Notice is hereby given that the Director of Public Works will receive sealed bids for furnishings, materials, labor, and equipment required to complete construction for the following work:

<u>SD</u>	<u>SPECS</u>	<u>PROJECT</u>	<u>BID DOC.</u> <u>FEE</u>	<u>DATE OF BID</u> <u>OPENING</u>
3	7204	Los Angeles River Headwaters project, between Owensmouth Avenue and Mason Avenue in Canoga Park Area	\$75	October 11, 2012

Copies of the project manual and drawings may be downloaded for free from the Los Angeles County Public Works website <http://dpw.lacounty.gov/go/constructioncontracts>; or for \$75, copies of the project manual and drawings may be obtained at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine Floor, Alhambra, California 91803, for the fee stated above. For bid information, please call (626) 300-2325. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office no later than 10:45 a.m. October 11, 2012. Bids will be publicly opened, examined, and declared by Public Works at 11:00 a.m. on this date in

Architectural Engineering Division's Conference Room, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803.

The contractor and all of its subcontractors of any tier shall be required to pay prevailing wages to all workers employed in the execution of the work of improvement in accordance with Labor Code Section 1770 et seq. Copies of prevailing rate of per diem wages are on file at the Department of Public Works, Architectural Engineering Division, which shall be made available to any interested party upon request.

Bids must conform to the drawings and project manual and all bidding requirements. This project requires the prime contractor to possess an active A license classification at the time of bid. The contractor should verify to his/her satisfaction that he/she holds the correct license for this type of project.

MANDATORY PREBID CONFERENCE

Public Works' Project Management Team will hold a mandatory pre-bid conference at 10:00 a.m. on September 26, 2012, at the project site to provide information on the project, bidding process, and answer any questions that the potential bidders may have. For further directions, please contact Ms. Erayna Chang with the Public Works' Project Management Team at (626) 300-2325.

OTHER INSTRUCTIONS

The project is subject to State Water Resources Control Board's new Construction General Permit effective April 4, 2012, for discharges of storm water runoff associated with the construction and land disturbance activities. Bidders are expected to understand and be responsible for all activities required by the State regarding these new requirements.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical or inconsequential errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 300-2325.



Upon 72 hours notice, Public Works can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at our main office in Alhambra (900 South Fremont Avenue), which is accessible to individuals with disabilities. To request accommodations ONLY, or for more ADA information, please contact our departmental ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7 a.m. to 5:30 p.m.



Con 72 horas de noticia, el Departamento puede proveerle información y publicaciones sobre el programa y formatos alternativos o hacer adaptaciones para incapacitados. Además, documentación sobre el programa está disponible en nuestra oficina principal en Alhambra (900 South Fremont Avenue), la cual es accesible para individuos con incapacidades. Para solicitar adaptaciones SOLAMENTE, o para mas información del ADA, pongase en contacto con nuestro Coordinador del ADA del Departamento al (626) 458-4081 o TDD (626) 282-7829, de lunes a jueves de las 7 a.m. a 5:30 p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California,
dated September 4, 2012.

Specs. 7204

SACHI A. HAMAI, EXECUTIVE OFFICER
OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES